



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/552,985	04/21/2000	Sai V. Allavarpu	5181-46200	7125

7590 07/20/2006
Robert C Kowert
Conley Rose & Tayon PC
P O Box 398
Austin, TX 78767

EXAMINER

DINH, KHANH Q

ART UNIT PAPER NUMBER

2151

DATE MAILED: 07/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/552,985

Applicant(s)

ALLAVARPU ET AL.

Examiner

Khanh Dinh

Art Unit

2151

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 June 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: none.
Claim(s) objected to: none.
Claim(s) rejected: 1-31.
Claim(s) withdrawn from consideration: none.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

Khanh Dinh
Khanh Dinh
Primary Examiner
Art Unit: 2151

Continuation of 11. does NOT place the application in condition for allowance because: The Applicant asserts that the cited reference does not disclose generating a request for type information for an attribute or event, wherein the request is expressed in an interface definition language, wherein the interface definition language is operable to define object interfaces across a plurality of platforms and across a plurality of programming languages; sending the request for type information to an object request broker and a metadata gateway for receiving the request for type information from the object request broker, reading the type information from a metadata repository, wherein the type information is stored in a database format in the metadata repository and translating the type information from the database format to the interface definition language; the metadata gateway sending the translated type information to the object request broker and the client receiving the translated type information for the attribute or event through the object request broker, wherein the translated type information is expressed in the interface definition language.

Examiner respectfully disagrees. The Carre reference discloses the Applicant's claimed invention. For example, Carre discloses a method for managing a network, the method comprising: a client (Agent 1 fig.3a) generating a request for type information for an attribute or event (by using of agents and manage units, operations are performed on these objects and requests are sent to other objects), wherein the request is expressed in an interface definition language, wherein the interface definition language is operable to define object interfaces across a plurality of platforms and across a plurality of programming languages [using CMISE/IDL management service to perform the data translation operations, see abstract, fig. 2a, 2b, col.3 lines 18-55 and col.5 lines 4-38]; sending the request for type information to an object request broker (Object Request Broker ORB of fig.3a) and a metadata gateway (CMISE Gateway fig.3a) receiving the request for type information from the object request broker (sending and requesting services, see col.5 lines 39-65); reading the type information from a metadata repository (CMISE/IDL fig.3), wherein the type information is stored in a database format in the metadata repository and translating the type information from the database format to the interface definition language (IDL protocol translation, see col.6 lines 1-29); the metadata gateway sending the translated type information to the object request broker and the client receiving the translated type information for the attribute or event through the object request broker, wherein the translated type information is expressed in the interface definition language (translation of COBRA address types from OSI types, see col.6 lines 10-35).

As a result, cited prior art does disclose a system and method a method for managing a network, as broadly claimed by the Applicants. Applicants clearly have still failed to identify specific claim limitations that would define a clearly patentable distinction over prior art. Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 1, 10, 17, 22 and 27.

Claims 2-9, 11-16, 23-26 and 28-30 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in the previous office action [see the Office Action mailed on 4/18/2006]. Accordingly, claims 1-31 are respectfully rejected.